

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	
Susan L. Childers	:	Case No. 16-24725-GLT
	:	
	:	Chapter 13
Debtor(s)	:	
Ronda J. Winnecour, Trustee	:	
	:	Related to Doc.17 and Claim No. 6
Movant(s)	:	
	:	
vs.	:	
Bayview Loan Servicing, LLC	:	
Respondent(s)	:	

OBJECTION TO 02/02/2017 AND 05/19/2017 NOTICE OF POSTPETITION  
MORTGAGE FEES, EXPENSES, AND CHARGES AT CLAIM 6

Ronda J. Winnecour, Chapter 13 Trustee, by her undersigned counsel,  
respectfully represents the following:

1. Trustee files this objection because the post-petition charges dated 02/02/2017 (at Doc 17) and 05/19/2017 (at Claim 6) (the "PPFNs"). The PPFNs were for an objection to the filed plan at \$500 (incurred 1/30/17) and for the filing of the proof of claim at \$400 (incurred 5/10/17), both of which predated the effective date (10/1/17) of a loan modification (approved on November 28, 2017, at Doc 77). As far as Trustee can tell, the loan modification did expressly address the PPFNs.

2. The post-petition charges remain of record.

3. Trustee believes that absent evidence to the contrary, the post-petition charges have been satisfied by the approval of the loan modification and the charges should be disallowed.

4. To be clear, this is not an objection pursuant to Rule 3002.1(e) with respect to the original filing, but rather an objection based on the claim having

been deemed paid or otherwise resolved by a subsequently approved loan modification.

WHEREFORE, the Trustee respectfully requests an Order disallowing the Notice of Post-Petition Mortgage Fees, Expenses, and Charges dated 02/02/2017 (at Doc 17) and 05/19/2017 (at Claim 6), and further providing that the funds that would have been paid to the creditor on account of such charges be instead added to the Plan's unsecured pot.

RONDA J. WINNECOUR,  
CHAPTER 13 TRUSTEE

Date: May 26, 2020

By: /s/ Owen W. Katz  
Owen W. Katz, PA I.D. 36473  
Attorney for Chapter 13 Trustee  
US Steel Tower, Suite 3250  
600 Grant Street  
Pittsburgh, PA 15219  
(412) 471-5566  
Email: [okatz@chapter13trusteewdpa.com](mailto:okatz@chapter13trusteewdpa.com)

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CERTIFICATE OF SERVICE

I hereby certify that on the 26<sup>th</sup> of May 2020, I served one true and correct copy of the foregoing document along with Notice of Hearing with response deadline on the following parties in interest by United States first-class mail, postage prepaid, unless otherwise noted, addressed as follows:

Joseph S. Sisca, Esquire  
Assistant U.S. Trustee  
Suite 970, Liberty Center  
1001 Liberty Avenue  
Pittsburgh, PA 15222

Susan L. Childers  
1011 Mars Hill Road  
Sutterville, PA 15083

Maureen Kroll, Esquire  
8981 Norwin Avenue, Suite 203  
North Huntingdon, PA 15642

David Ertel, CEO  
Bayview Loan Servicing, LLC  
4425 Ponce de Leon Boulevard, 5<sup>th</sup> Floor  
Coral Gables, FL 33146  
\*served by certified mail

Alexandra T. Garcia, Esquire  
McCabe, Weisberg & Conway, LLC  
123 S. Broad Street, Suite 1400  
Philadelphia, PA 19109

Wilmington Savings Fund Society  
c/o Fay Servicing LLC  
PO Box 814609  
Dallas, TX 15381-4609

Rodger Levenson, CEO  
Wilmington Savings Fund Society  
500 Delaware Avenue  
Wilmington, DE 19801  
\*served by certified mail

Christopher Giacinto  
Padgett Law Group  
6267 Old Water Oak Road, Suite 203  
Tallahassee, FL 32312

/s/Rosa Richard  
Office of Chapter 13 Trustee  
U.S. Steel Tower – Suite 3250  
600 Grant Street  
Pittsburgh, PA 15219  
(412) 471-5566  
cmecf@chapter13trusteewdpa.com